REMARKS

Applicant is in receipt of the Office Action mailed December 13, 2007. Claims 1-30 were rejected. Claims 1-30 have been canceled, and new claims 31-48 have been added. Reconsideration of the case is earnestly requested in light of the following remarks.

Section 101 Rejections

Claims 1-30 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1-30 have been canceled, thus rendering this rejection moot. Applicant respectfully submits that the new claims 31-48 are directed to subject matter that is statutory under 35 U.S.C. 101.

Section 102 and 103 Rejections

Claims 1-5, 9-21, and 25-30 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Pub. No. 2002/0087797 to Adrangi (hereinafter "Adrangi").

Claims 6-8 and 22-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Adrangi in view of U.S. Patent Application Pub. No. 2004/0162885 to Garg et al. (hereinafter "Garg").

Claims 1-30 have been canceled, thus rendering these rejections moot. Applicant respectfully submits that the new claims 31-48 are patentably distinct over Adrangi and Garg, taken either singly or in combination.

Claim 31 recites in pertinent part:

in response to receiving a write request to update the replica of the data object, select one or more operations to perform on the replica of the data object based on the history information, wherein the one or more operations selected based on the history information include one or more of:
updating the replica of the data object; and
marking the replica of the data object as stale.

Adrangi relates generally to a system and method for caching files. The system keeps track of the popularity of files by calculating how often read requests for the files are received over a period of time. If the popularity of an uncached file is greater than the popularity of a cached file, then the cached file will be replaced. (See Abstract, paragraph [0035]).

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Thus, Adrangi's system and method for caching files operates on the basis of read requests received for various files. In contrast, claim 31 recites, "in response to receiving <u>a write request to update the replica of the data object</u>..." Adrangi's system does not teach receiving a <u>write request to update a replica of a data object</u>, but instead teaches receiving read requests to read from various files.

Adrangi also fails to teach the recited limitations of,

wherein the one or more operations selected based on the history information include one or more of:
        updating the replica of the data object; and
        marking the replica of the data object as stale.

Garg relates generally to reducing communication for reads and updates in distributed object systems. Applicant respectfully submits that Garg does not remedy Adrangi's failure to teach the above-recited limitations of claim 31.

Applicant thus submits that claim 31 and its dependent claims are patentably distinct over the cited art for at least the reasons set forth above. Inasmuch as the other independent claims 37 and 43 recite similar limitations as those of claim 31, Applicant submits that these claims, and the claims dependent thereon, are also patentably distinct over the cited art.

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505/5760-18800.

Respectfully submitted,

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